APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/698,155	10/31/2003	Yoshiharu Kune	ITECP005	1018

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EXAMINER
PHAM, HAI CHI

ART UNIT	PAPER NUMBER
2861	

DATE MAILED: 08/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	10/698,155	KUNE ET AL.
	Examiner	**Art Unit**
	Hai C. Pham	2861

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☐ Responsive to communication(s) filed on _____.

2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-22</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1-3,5-15 and 17-22</u> is/are rejected.

7) ☒ Claim(s) <u>4 and 16</u> is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on <u>31 October 2003</u> is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☒ All   b) ☐ Some *   c) ☐ None of:

    1. ☒ Certified copies of the priority documents have been received.

    2. ☐ Certified copies of the priority documents have been received in Application No. _____.

    3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

Priority

1.   Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which

papers have been placed of record in the file.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

3.   Claims 1-3, 5-15, 17-22 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Budnik et al. (U.S. 5,995,775) in view of Bullock et al. (U.S.

5,835,817).

Budnik et al. discloses an automated diagnostic system that is connected with a

controller (30) in a communicable manner via a connector module (e.g., interface

between the expert system 31 and the controller 30), a component selection module

that selects an object component to be detached among other components (the system

identifies components of the printing device needing replacement). Budnik et al. further

teaches that calibrating steps would be initiated with new item incorporated in a new

customer replaceable unit, e.g., calibration of the BTAC sensor incorporated into the

customer replaceable unit) (col. 14, line 55 to col. 15, line 3), and that an operator

interface (206, Fig. 4) is provided for inputting data and confirmation from the user (col. 8, lines 45-65), but fails to teach performing the adjustment of the parameter as required by the detachment of the replaceable item in a predetermined order.

Bullock et al. teaches a laser exposure system provided with replaceable developer modules, upon an initial installation of which an adjustment of the control parameters for the laser exposure system is performed based on the data incorporated into the replaceable part. Bullock et al. further teaches the adjustment of the control parameters being done by allowing the control processor to first accumulate sufficient data to determine the correct control parameter, e.g., the toner-to-carrier ratio, to then enable a setting of the proper control signal lever.

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the device of Budnik et al. to allow an adjustment of the control parameters upon an initial installation of a new replaceable component as taught by Bullock et al. The motivation for doing so would have been to prevent incorrect parameters being utilized with respect to the newly installed component, which would adversely affect the printer performance as suggested by Bullock et al.

Budnik et al. further teaches:

- said component selection module selects the object component to be detached in such a manner that a component once detached for adjustment or repair and attached again is distinguishable from a new component newly attached as replacement of the detached component (the selection of the object component

to be detached being based on a series of test to attest its failure, and the newly

attached component is determined and differentiated from the replaced part by

reading the information stored in the memory housed in the newly attached part)

(col. 10, lines 30-32),

- wherein said adjustment parameter setting module comprises an adjustment

  parameter storage module that stores adjustment parameters mapped to

  respective components to be detached, and said adjustment parameter setting

  module sets the at least one adjustment parameter corresponding to the selected

  object component, based on the mapping of the adjustment parameters to the

  respective components stored in said adjustment parameter storage module (the

  expert system includes a memory for storing the profile of expected machine

  performance and parameters portion) (col. 8, line 66 to col. 9, line 3),

- said component selection module is capable of selecting multiple object

  components to be detached (different components being identified for

  replacement) (Figs. 7, 9),

- wherein said adjustment execution module provides documental [and pictorial

  information] with regard to factors required for the adjustment (an operator

  interface 206 being provided between the user and the expert system 31 for

  providing dialogue, e.g., request of data, result statement...) (col. 8, lines 52-65),

- wherein said adjustment execution module enters settings in said machine via

  said connector module and executes the adjustment with the entered settings

  (e.g., based on the rule editor 208 and the knowledge base 202),

- wherein said adjustment execution module executes the adjustment with a predetermined operation of said machine via said connector module (),

- wherein said adjustment execution module executes the adjustment with an input value entered by the user, based on a result of the predetermined operation of said machine (col. 8, lines 52-65),

- wherein said machine is a peripheral device (imaging machine 422) that is connectable with a computer (400) (Fig. 14),

- wherein said machine is a printer (imaging machine 422).

Allowable Subject Matter

4.   Claims 4 and 16 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

5.   The following is a statement of reasons for the indication of allowable subject matter: the primary reason for the indication of the allowability of claims 4 and 16 is the inclusion therein, in combination as currently claimed, of the limitations of "the adjustment parameter setting module comprising an order relation storage module" and wherein "said adjustment parameter setting module sets the adjustment order of the at least one adjustment parameter based on the relation stored in said adjustment order relation storage module", which are not found taught by the prior art of record considered alone or in combination.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hai C. Pham whose telephone number is (571) 272-2260. The examiner can normally be reached on M-F 8:30AM - 5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David L. Talbott can be reached on (571) 272-1934. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

HAI PHAM
PRIMARY EXAMINER

August 17, 2005